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OFFICE OF GENERAL
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COMPLAINT TO THE FEDERAL ELECTION COMMISSION

Ms. Thomasenia Duncan, General Counsel
Federal Election Commission
Office of the General Counsel
999 E Street, NW
Washington, DC 20463

MUR # **6305**

May 25, 2010

RE: Complaint against Sharron Angle, Friends of Sharon Angle, and Alan B. Mills, Treasurer, for Filing a Knowingly False Report with the FEC.

The Complainant, Charles Tait Ecklund, hereby submits this Complaint, pursuant to 2 U.S.C. § 427(g) and 11 CFR § 111.4, against Respondents Sharon Angle, Friends of Sharon Angle, and Alan B. Mills, Treasurer (FEC ID # C00460758).

Facts

Sharon Angle, and her campaign, filed their legally mandated 2009 Year End Report without listing over ninety-thousand dollars (\$90,000) in campaign debt that was accumulated in 2009 and previously reported, yet mysteriously did not show up on the year-end report. On April 6, 2010 the Federal Election Commission (FEC or "Commission") notified Mrs. Angle that her 2009 Year End Report was inadequate and failed to list debts itemized on previous reports, as is required by 11 CFR § 104.3(d) and 104.11. See Attachment A. At this point in time, Mrs. Angle and her campaign were on specific notice that continuous reporting of all outstanding debts is legally mandated.

On April 15, 2010, Mrs. Angle filed her campaign's legally mandated 2010 First Quarter report with the Commission, and this report again failed to list the over \$90,000 in debts itemized on previous reports, as is required by 11 CFR § 104.3(d) and 104.11. This Report was

electronically signed by the Treasurer on behalf of Mrs. Angle and the campaign, certifying that Mr. Mills had "examined this report and to the best of my knowledge and belief, it is true, correct, and complete." See Attachment B. The signature page of this report included a clear warning under the signature line that, "Submission of false, erroneous, or incomplete information may subject the person signing this report to the penalties of 2 USC 437g." Id.

On May 9, 2010, Mrs. Angle's campaign formally replied to the Commission's Request for Additional Information with a letter providing the incoherent and bizarre excuse that they filed a false FEC report because allegedly their "information was accurately inputted in our database, but the upload into a FEC report is not faithful to the information input." See Attachment C.

Legal Analysis

FEC Reports are designed to provide full public disclosure of a candidate's federal election campaign finances. Mrs. Angle is a career politician who is experienced in campaign finance reporting, and even previously waged a failed campaign for US Congress, so is presumed to be familiar with FEC rules and reporting requirements. Her excuse presented in her campaign's letter of May 9th amounts to a "the dog ate my homework" type excuse. But even if one suspends disbelief and accepts her explanation for hiding over \$90,000 in debts, that does not excuse the knowing and willful filing of a false report on April 15, 2010. As of the Commission's letter of April 6th, Mrs. Angle and her campaign were on notice that the proverbial dog was eating their homework, and they apparently made no effort to correct the now-known error before filing their next report on April 15th. Nonetheless, the April 15th report is signed, legally certifying that the information on the report is "true, correct, and complete." This signed report knowingly contained false, erroneous, and incomplete information on behalf of Mrs.

Angle and her campaign. Such knowingly false statements are subject to criminal prosecution under 18 U.S.C. § 1001.

Conclusion

Mrs. Angle and her campaign have a legal obligation to be accurate and complete with their FEC filings. Even if a person can decipher, and believes, Mrs. Angle's explanation for the missing \$90,000 in her 2009 Year End FEC report, that "dog ate my homework" excuse doesn't hold water the second time, when in early April Mrs. Angle's campaign had been notified by the Commission that their reporting was incomplete, yet she went ahead and submitted her April 15th report with the same \$90,000 in debt still not reported! At this point in time when her Treasurer signed the report, he was knowingly making a false statement, and is now subject to criminal penalties. I hereby request that the Commission investigate the Angle campaign's dishonesty and crimes. Because the false statements involve hiding over \$90,000 in campaign debt, this monetary figure is well over the five-thousand dollars (\$5,000) threshold for referring this matter to the U.S. Department of Justice, *See* 2 U.S.C. § 437g(d)(1)(B). As of the filing of this compliant on May 24th, 2010, early voting has started in Nevada, yet Mrs. Angle has still knowingly failed to provided accurate information for the public record regarding the hidden \$90,000 debt. This deception is substantial and has impacted the public's (as well as the Commission's) ability to assess the manner in which Mrs. Angle is conducting her campaign. I consequently encourage a referral to the United States Department of Justice in order to send a message to Mrs. Angle and her ilk that she and her campaign are not above the law.

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Sincerely,


Charles Tait Ecklund

Henderson, NV 89014

State of Nevada

County Clark

Signed and sworn to (or affirmed) before me on ~~March~~ ^{MAY} 25th, 2010

By: Charles T. Ecklund.
Name(s) of Person(s)

Notary Public: Jim Liao

My Commission Expires: 12/29/2010

